

**IN THE CLAIMS:**

Please cancel claims 1-10, 17-20, 33-37, 43-45, 52, and 53 without prejudice, and amend claims 11, 16, 27, and 47 to the following:

11. An apparatus for positioning a closure device within a passage through tissue communicating with a body lumen, comprising:

an elongate member comprising a proximal end, a distal end, and a lumen extending between the proximal and distal ends defining a longitudinal axis;

a clip deliverable from the elongate member for sealing the passage; and

a locator member extending through the lumen, the locator member comprising a distal portion extending distally beyond the distal end of the elongate member, the distal portion comprising an elongate deflectable element comprising a proximal end and a distal end, and a control element coupled to the deflectable element, the control element being movable axially for causing an intermediate portion of the deflectable element to buckle substantially transversely with respect to the longitudinal axis.

16. The apparatus of claim 11, further comprising a housing slidably disposed on an exterior of the elongate member, the housing configured for releasably holding the clip, the housing being actuable for advancing the clip distally towards the distal end of the elongate member for deploying the clip.

27. A method for sealing a passage communicating with a body lumen using an elongate member comprising proximal and distal ends, and a closure element deployable from the distal end of the elongate member, the method comprising:

providing a locator member coupled to the elongate member such that a distal portion of the locator member extends distally beyond the distal end of the elongate member;

advancing the distal end of the elongate member through a patient's skin towards the body lumen via the passage until the distal portion of the locator member is located within the body lumen;

buckling a deflectable element on the distal portion of the locator member from an axial collapsed configuration to a transverse expanded configuration;

manipulating the elongate member until the deflectable element in the expanded configuration contacts a proximal wall of the body lumen, thereby providing a tactile indication of a location of the distal end of the elongate member relative to the body lumen; and

deploying the closure element from the distal end of the elongate member within the passage.

47. A method for sealing a passage communicating with a body lumen, the method comprising:

introducing a locator member into the passage until a distal portion of the locator member extends into the body lumen;

buckling a deflectable element on the distal portion of the locator member from a collapsed configuration to a transversely expanded configuration within the body lumen;

manipulating the locator member until the deflectable element in the expanded condition contacts a proximal wall of the body lumen; and

advancing a clip along the locator member until the clip is disposed at a predetermined location relative to the distal portion of the locator member;

returning the distal portion of the locator member from the expanded condition to the collapsed configuration; and

withdrawing the locator member from the passage, leaving the clip in the passage.

In addition, please add the following new claims 57-62:

*112 - 2nd*  
*expands +*  
57. The apparatus of claim 11, wherein the deflectable element comprises one or more splines extending from the locator member, and wherein the control element is coupled to one end of the splines such that axial movement of the control element selectively expands the one or more splines transversely between collapsed and expanded configurations.

58. The apparatus of claim 57, wherein the one or more splines comprises two splines.

59. The apparatus of claim 57, wherein proximal movement of the control element causes ends of the one or more splines to move towards one another to expand the one or more splines towards the expanded configuration. *not disclosed as prior*

60. The method of claim 27, wherein the closure element comprises a generally annular clip carried on an exterior of the elongate member, and wherein the deploying step comprises advancing the clip towards the distal end of the elongate member until tines of the clip penetrate tissue adjacent the body lumen.

61. The method of claim 60, wherein the deflatable element is collapsed during the deployment step.

62. The method of claim 61, wherein the elongate member comprises a tubular member, and wherein the distal portion of the locator member is retracted into the lumen after the deflatable element is collapsed.